



GARY R. HERBERT
Governor

GREGORY S. BELL
Lieutenant Governor

State of Utah

DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER
Executive Director

Division of Oil, Gas and Mining

JOHN R. BAZA
Division Director

Outgoing
C0070039
#3775
K

April 11, 2011

Erwin Sass, General Manager
Canyon Fuel Company, LLC
P.O. Box 1029
Wellington, Utah 84542

Subject: Notice of Violation #10072, Canyon Fuel Company, LLC, Dugout Canyon Mine,
C/007/0039, Task ID #3775, Outgoing File

Dear Mr. Sass:

On February 10th, 2011, the Division of Oil, Gas and Mining (the Division) received your response to Notice of Violation #10072 (NOV). The NOV was issued for a failure to protect surface-water quality by allowing ground-water discharge to contribute additional suspended solids to streamflow outside the permit area; and otherwise prevent water pollution.

Based upon recent Mine Safety and Health Administration (MSHA) approval to no longer discharge the non-compliant mine-water that prompted the NOV, the February 10th, 2011 response is being returned to you as it is no longer applicable.

Additionally, based on the March 24th, 2011 Division letter, Mr. John Baza (Director) informed you that the NOV was vacated, that no further abatement was required and that the fine assessment associated with the NOV was voided. A copy of the vacated NOV is attached as well as a copy of the response for your files.

Please call me (801) 538-5325 or Steve Christensen (801) 538-5350 with any questions or concerns that you may have.

Sincerely,

Daron R. Haddock
Coal Program Manager

DRH/SKC/ss
cc: Price Field Office
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Action Taken on Existing Citation Utah Coal Regulatory Program

1594 West North Temple, Salt Lake City, UT 84114
Phone: (801) 538 - 5285 Fax: (801) 359-3940

Action on Citation#: **10072**

Permit Number: **C0070039**

Date Cit. Issued: **01/05/2011**

☐ MODIFICATION of

☐ TERMINATION of

☒ VACATION of

☒ NOTICE OF VIOLATION

☐ CESSATION ORDER (CO)

☐ FAILURE TO ABATE CO

Permittee Name: CANYON FUEL COMPANY

Inspector Number and ID: **54** **SCHRISTE**

Mine Name: DUGOUT CANYON MINE

Date and Time of Action:

Certified Return Receipt Number:

Date and Time of Service:

*In accordance with the provisions of the Utah Coal Mining and Reclamation Act,
Utah Code Ann. § 40-10-1 et. seq. (Act), the above referenced Citation is:*

☐ Modified as follows:

Reason for modification:

☐ Terminated because:

☒ Vacated because:

On March 24th, 2011, Utah Division of Oil, Gas and Mining Director, Mr. John Baza notified the Permittee that NOV #10072 had been vacated, that no further abatement was required and the associated assessment fine was voided.

(Print) Permittee Representative

Permittee Representative's Signature - Date

STEVE CHRISTENSEN

(Print) DOGM Representative

DOGMR Representative's Signature - Date

Refer to the "Citation For Non-Compliance" for additional information